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NASA Procedural Requirements

COMPLIANCE IS MANDATORY

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(NASA Only)

Subject: NASA Personal Property Disposal Procedural Requirements (Revalidated 2/17/06 with Change 1)

Responsible Office: Logistics Management Division

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Chapter 4. Stevenson-Wydler Act

4.1. Purpose

This chapter sets forth the requirements for establishing and maintaining a program to allow NASA to assist the National Education Goals by the transfer of NASA-owned excess research equipment to educational organizations and nonprofit institutions for the conduct of technical and scientific education and research activities. The NASA PDO's are responsible for equally promoting both the Property Act donation programs via GSA and State Agencies for Surplus Property, as well as direct transfers of NASA excess research equipment to eligible nonprofit educational organizations under the Stevenson-Wydler Act.

4.2. Guidance Information

4.2.1. The Stevenson-Wydler Technology Innovation Act of 1980 as amended, 15 U.S.C. 3710 et seq. Section 11 of the Stevenson-Wydler Technology Innovation Act of 1980 was amended by section 303 of Pub. L. 102-245 (February 14, 1992) which added the following new subsection:

"(i) Research Equipment - The Director of a laboratory, or the head of any Federal agency or department, may give research equipment that is excess to the needs of the laboratory, agency, or department to an educational organization or nonprofit institution for the conduct of technical and scientific education and research activities. Title of

ownership shall transfer with a gift under the section." These transfers shall be coordinated through the Center PDO's.

4.2.2. The Federal Property and Administration Services Act of 1949, chapter 288, 63 stat. 377.

4.2.3. Executive Order (EO) 12999 of April 17, 1996, "Educational Technology: Ensuring Opportunity for All Children in the Next Century."

4.2.4. GSA guidelines provided in July 1996 pamphlet entitled, "Computers for Education - A Federal Agency Guide to Executive Order 12999."

4.3. Authorized Excess Research Equipment

NASA has defined NASA excess research equipment to include property included in 8 Federal Supply Classification Groups and Shuttle thermal protection tiles. This is limited to NASA excess pumps and compressors (Federal Supply Classification Group 43); valves (Federal Supply Classification Group 48); Communication, detection, and coherent radiation equipment (Federal Supply Classification Group 58); electrical and electronic equipment components (Federal Supply Classification Group 59); Medical, Dental, and Veterinary Equipment and Supplies (Federal Supply Classification Group 65); Instruments and Laboratory Equipment (Federal Supply Classification Group 66); Photographic Equipment (Federal Supply Classification Group 67); and General purpose Automatic Data Processing Equipment (computers) and software, supplies, and support equipment (Federal Supply Classification Group 70) suitable for the purposes and use as stated in the Stevenson-Wydler Act.

4.4. Eligible Organizations to Obtain NASA Excess Research Equipment

Under the NASA Stevenson-Wydler Act program, all educational institutions (public, private, or parochial) that intend to use the NASA excess research equipment for the conduct of technical and scientific education and research activities are generally eligible including prekindergarten through 12th grade schools and higher education universities and colleges. Currently, NASA's Stevenson-Wydler Act program does not include any nonprofit institutions that are not educational institutions.

4.5. General Priority Criteria for Education Organizations

Based on EO 12999, NASA attempts to give preference to schools located in Federal enterprise communities and empowerment zones established in the Omnibus Reconciliation Act of 1993, Pub. L 103-66. NASA partnership schools or others that have a formal prior relationship with NASA may receive preference. Additionally, NASA attempts to provide unique, one-of-a-kind property to the appropriate educational institution level that would appear to derive the most benefit from the property. However, in most cases, after NASA and other Federal agencies requirements are honored, any remaining NASA excess research equipment is generally transferred on a first-come first-served basis for screeners of educational institutions.

4.6. Required Documentation

4.6.1. Heads of educational organizations, such as school districts or individual schools,

are to provide to a NASA PDO a letter on official letterhead paper requesting permission to participate in the NASA Stevenson-Wydler Act program. This letter should indicate if the school is in a Federal enterprise community or empowerment zone. The school letter will designate officials to sign the transfer order and school employees to screen and remove the property from NASA generating sites.

4.6.2. The NASA PDO will respond, notifying the educational organization of acceptance or rejection, screening methods, and instructions, on how to properly prepare and process the necessary transfer documents. Once approved by any single NASA PDO, an eligible nonprofit educational organization becomes eligible for NASA excess research equipment Nationwide.

4.7. Transfer of NASA Excess Research Equipment

4.7.1. The nonprofit educational organization acquiring NASA excess research equipment is responsible for completing Standard Form 122, Transfer Order, provided by NASA, signing the certification not to hold the Government liable, and indicating that the acquired NASA research equipment will be used for one of the three authorized uses for the conduct of (1) technical or (2) scientific education, or (3) research activities.

4.7.2. The Standard Form 122 may be obtained from the local NASA PDO or from the GSA free "Forms Service" Internet site at <http://www.gsa.gov/forms/zero.htm>. Affixed to each of the disposal organization's file copy of the completed Standard Form 122 will be a "Certification Statement" containing the signature of the appropriate official from the eligible activity acknowledging the following certification that will appear on each separate transfer:

"I hereby certify that the property is being obtained by an [] educational institution or [] nonprofit organization and will be placed into use at the organization for the conduct of [] technical or [] scientific education [] or research activities.

"My organization hereby releases and agrees to hold harmless the Federal Government, NASA, or persons acting on behalf of NASA from any and all liability of every kind and nature whatsoever (in accordance with State law) resulting from the receipt, shipping, operation, handling, use, and maintenance of the property after said property is physically removed from the NASA facility."

Name of Organization Standard Form 122 Transfer Order No.

Printed Name of Official Title

Signature of Official Date

4.7.3. The local NASA PDO will sign the Standard Form 122 and approve the transfer to the eligible activity after NASA and Federal requirements are completed. Requests for transfer by NASA activities or other Federal agencies take precedence over transfers to eligible activities under the Stevenson-Wydler Innovation Act.

4.7.4. Each educational organization acquiring NASA excess research equipment is

responsible for property removal in a timely manner and not to exceed 14 calendar days. NASA will not normally act as a shipper. The transfer of title to the research equipment is accomplished at no cost to the acquiring activity. However, the acquiring activity is responsible for any packing, shipping, or transportation costs associated with the transfer.

4.7.5. Any NASA excess research equipment not selected by a school continues through the disposal process and becomes surplus and is sold by GSA or NASA to the general public via auction, sealed bid, spot bid, or fixed-price sales.

4.7.6. Federal agency requirements take precedence over Stevenson-Wydler Act transfers to educational organizations.

4.8. Reporting

4.8.1. NASA PDO's send copies of the NASA approved transfer order, Standard Form 122, to the appropriate GSA regional office within 10 calendar days after the transfer is completed, and preferably by fax on the day the transfer is approved.

4.8.2. In accordance with the Property Act, NASA prepares an Annual Report of Property Furnished to non-Federal Recipients for each fiscal year. This report provides the name and address of each recipient and the total original acquisition cost of all property furnished to each recipient, identified by each applicable two-digit Federal Supply Classification Group.

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